

Before the Independent Hearing Panel
appointed by Environment Southland and
Gore District Council

Under the Resource Management Act 1991

In the matter of an application by Gore District Council for resource consent to
establish the Longford Bridge across the Maitara River

Statement of evidence of Claire Rose Perkins

2 December 2020

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Introduction

- 1 My full name is Claire Rose Perkins.
- 2 I am employed as a Senior Planner and Planning Team Lead at Landpro Limited, a firm of consulting planners and surveyors. I hold the qualification of BAppSc (Hons) in Environmental Management from Otago University. I have been a planning and environmental consultant for 14 years, 11 of those with Stantec (formerly MWH New Zealand) and since mid-2018 with Landpro Ltd, providing consultancy services for a wide range of clients throughout New Zealand.
- 3 I hold associate membership with the New Zealand Planning Institute.
- 4 In this time, I have undertaken a wide variety of resource management related work for various clients, including preparing resource consent applications, preparing assessments of effects, stakeholder engagement and consent management services, with a particular focus on water resources.
- 5 In this matter, I have been engaged by the Gore District Council (the Council) to provide independent planning services including the preparation of the resource consent documentation, liaising with other consultants involved in the preparation of the application and preparation of this planning evidence.
- 6 In preparing this statement of evidence, I have considered the following documents:
 - (a) The Assessment of Environmental Effects (AEE) accompanying the resource consent application, including associated technical reports;
 - (b) The responses to the requests for further information, including associated technical reports;
 - (c) Submissions relevant to my evidence;
 - (d) The section 42A reports from both Gore District Council (GDC) and Environment Southland (ES);
 - (e) The technical briefs of evidence from:
 - (i) **Mr Bayliss** – addresses the background to the Council’s requirement to deliver an upgraded safe drinking water supply and the reasoning for an above river crossing;

- (ii) **Mr Standring** – deals with development of the shared pathway elements of the proposal, the wider transport rationale for the bridge in this location and its connection to the wider network, and the transport and safety effects of the proposal;
 - (iii) **Mr Crocker** – summarises the bridge design details including bridge form, wind demands, noise effects, maintenance, overall connection to the cycleway and the recently confirmed stop-bank raising project.
 - (iv) **Mr Maynard** – covers the hydrological and geotechnical design assessments undertaken in respect of flooding and erosion control, as well as structural integrity of the bridge foundations;
 - (v) **Ms Bennett** – summarises the potential effects on avifauna from the bridges construction, maintenance and operation;
 - (vi) **Mr Pentecost** – addresses landscape and visual effects.
- (f) The relevant planning documents referred to later in my evidence.

Code of Conduct for Expert Witnesses

7 While this is not a hearing before the Environment Court, I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014. I have complied with it in preparing this evidence and I agree to comply with it in presenting evidence at this hearing. The evidence that I give is within my area of expertise except where I state that my evidence is given in reliance on another person's evidence. I have considered all material facts that are known to me that might alter or detract from the opinions that I express in this evidence.

Scope of evidence

- 8 This evidence addresses:
- (a) Summary of the application
 - (b) Background of the proposal;
 - (c) Consultation;
 - (d) Existing Environment;
 - (e) Statutory Framework;
 - (f) Consideration of Alternatives;

- (g) Brief overview of the effects and proposed mitigations;
- (h) Relevant policies and plans;
- (i) Part 2;
- (j) Matters raised by submitters;
- (k) Comment on the Planning Reports; and
- (l) Discussion of Proposed Conditions

Executive summary

- 9 Within my evidence I primarily address the three key matters that I consider require further consideration based on the conclusions in the Section 42A Report of Nigel Bryce:
- (a) Consideration of alternatives;
 - (b) Consultation with and effects on tangata whenua values; and
 - (c) Effects on landscape and amenity values.
- 10 Most of comments are in relation to the S42A Report of Nigel Bryce for GDC rather than that of Jade McRae for ES as there no matters of contention between myself and Ms McRae.
- 11 I rely heavily on the evidence of others in drawing my conclusions.
- 12 I consider that the proposal is for a support structure for water pipelines and accordingly the rules of the Utilities chapter of the Gore District Plan apply.
- 13 In summary, I consider that in respect of consultation while it could have been enhanced prior to the lodgement of the applications, subsequent effort has been made by the Council to engage with tangata whenua in particular to contribute to the design of the proposal that is still able to incorporate changes.
- 14 An appropriate consideration of alternatives was undertaken through the process and alternatives have been sufficiently canvassed in the evidence to demonstrate that the proposed location and design form represent the best possible option from an overall effects perspective.
- 15 In respect of effects of the proposal, it is acknowledged that the proposal will result in adverse visual effects on the immediate nearby residents due to prominence of the vertical bridge structure in their view of the floodplain

and river. Overall, however, I consider that the proposed design, location and proposed conditions demonstrate effects have been appropriately avoided, remedied or mitigated as far as possible.

- 16 When taking an overall broad judgement of the provisions of the relevant planning documents, I consider that the proposal is broadly consistent with the relevant objectives and policies, having particular regard to the primary purpose of the bridge as a support structure for critical water supply infrastructure and avoidance of effects on the wider natural character of the environment.
- 17 I have included a set of proposed conditions that I consider include all the mitigation measures raised through the evidence and Section 42A Report recommendations.

Summary of the application

- 18 I was responsible for the preparation of the Assessment of Environmental Effects (AEE) that forms part of the application for resource consent (the application) submitted to Council, and I take overall responsibility for these documents. I have visited the site on at least two occasions.
- 19 Below, I have provided a brief overview of the proposal as it was submitted, noting that the full description of the proposal is detailed in the AEE. Gore District Council is proposing to construct a bridge spanning the Mataura River for two valid reasons:
 - (a) to carry new water pipelines linking East Gore with the Jacobstown Wells and Hilbre Ave reservoir
 - (b) to provide a pedestrian and cycle link between East and West Gore.
- 20 The salient components of the proposal as originally lodged are as follows:
 - (a) A single-span cable-stay bridge;
 - (b) A mast height of 39 metres and 916 millimetres diameter;
 - (c) Critical water pipelines will be attached to the underside of the bridge, significantly increasing water security for the township;
 - (d) The bridge deck will be 3 metres wide to allow a safe link for cycling and walking; and

- (e) The bridge is to be located approximately 650m upstream from the existing traffic bridge, spanning the Matāura River at the narrowest point within the Gore township.
- 21 The proposed bridge does not, however, sit on its own, but instead forms part of a wider proposal:
- (a) A membrane filtration treatment plant is to be built at the site of the East Gore treatment plant at Wentworth Street, to have water treatment for all of Gore centralised at East Gore, instead of being split between East Gore and Hilbre Avenue.
 - (b) Additional pathways along the River will connect the residential area of East Gore to the CBD and schools located in West Gore and provide enhanced community access along the river margins for cyclists and pedestrians.
- 22 As a result of submissions received and the s42A report the following amendments/clarifications are proposed:
- (a) Only the bridge and not the shared pathway are the subject of these land use consents. Wider details of these pathways have been included in the application documents for completeness and to help submitters understand the full project.
 - (b) Feature lighting will not be pursued for the mast and below the bridge deck as part of this current proposal. Lighting along the handrail will be required and is within the scope of the application as notified. Lighting of the pathway connecting to the bridge will also be required, however, specific options have not yet been confirmed and the pathway itself also sits outside of this consent.
 - (c) I can confirm that no work associated with the shared pathway in the floodplain or along the stopbanks will be undertaken until authorisation under the Southland Flood Control and Drainage Management Bylaw 2020 has been granted. It is anticipated that this will be relatively straightforward as detailed consultation has continued with ES throughout the design phase and as further details are being refined (e.g. pathway lighting options, stopbank raising).

Background of the proposal

- 23 The subject site is located over the Mataura River, in the northern part of the Gore township. The majority of the activity will occur in the road reserve and recreation reserve owned by the applicant, with the remainder

occurring on an adjacent property (Sec 80 Blk XVI) which has been subdivided and Lot 2 purchased by Council. The sale of this section was completed in July 2020.

- 24 **Mr Bayliss** and **Mr Standring** have summarised the project background in terms of both the critical water pipeline and the walking and cycling connections that led to the development of the bridge proposal that is the subject of this hearing.

Proposal development timeline

- 25 This has been largely laid out in the evidence of **Mr Bayliss** and **Mr Standring** with the proposal subject to this consent process being approved by the Council in April 2020.

Consultation

- 26 Consultation with some, but not all, key stakeholders formed part of the proposal development between 2018 and 2020 (refer evidence of **Mr Bayliss** and **Mr Standring**).
- 27 Following Council approval for the project to be undertaken, the intention was for wider public engagement to be undertaken, beyond those involved in earlier options workshops (the evidence of **Mr Standring** identifies who those invited parties to the earlier workshops were). However, due to the COVID-19 lockdown, the time-sensitive nature of the project, and the sensitivity regarding the land acquisition of property for the project, public consultation was limited prior to the application being submitted.
- 28 Stakeholder engagement began following the COVID-19 lockdown, with information letters sent by the Council and some meetings held with identified affected parties. The mayor met with Hokonui Rūnanga, and both the mayor and CEO met with several nearby property owners. A project brochure was distributed in early June, and a public meeting held on 15 June 2020. A full copy of the application was sent to those landowners within the immediate vicinity of the bridge and identified in Appendix B of the LVIA report within the two week period following lodgement.
- 29 This consultation led to the written approval being obtained from both Department of Conservation and Fish and Game.
- 30 The application was also submitted with a specific request for public notification of the GDC application, to allow full consultation to be carried out in parallel given the significance of this proposal for the Gore community.

31 The Council have continued to meet further with Hokonui Rūnanga, with the outcomes of that consultation summarised here:

- (a) As **Mr Standring** describes, an initial offer to be involved in the Investment Logic Mapping (ILM) workshops back in August 2018 was made to Hokonui Rūnanga, however, they were unable to attend and unfortunately, it wasn't picked up that the subsequent workshops were notified to only previous attendees rather than the full invite list. The Council acknowledge this oversight led to a lack of early engagement on this project with tangata whenua.
- (b) A discussion was initiated between the mayor and Terry Nicolas of Hokonui Rūnanga just prior to lodgment of the application.
- (c) Further engagement occurred after lodgment. The details of the bridge and overall pathway project were such that opportunity remained (and still remains) to feed into the design of project by establishing a cultural narrative and advising on any additional mitigation that could be proposed to address cultural, historical or spiritual effects of the proposal that arose out of discussions.
- (d) Initial feedback in response to a review of the application was received on 17 August 2020 from Genevieve Doube of Beca, on behalf of the rūnanga (attached as **Appendix 1** of this evidence). This outlined the following key points:
 - (i) Lack of early engagement in the project;
 - (ii) Potential effects on the identified site of cultural importance to the immediate south of the eastern embankment, along with further investigation of the site to determine whether there will be any effects;
 - (iii) Whether natural hazards have been properly addressed in terms of risks from flooding, flood bank effects and bank erosion;
 - (iv) Need for a Cultural Impact Assessment (CIA) to be prepared by Hokonui Rūnanga, which would be completed by 7 September 2020 (attached as **Appendix 2**);
 - (v) Request to be involved in developing design details of the bridge and surrounds to tell their narrative.
- (e) Hokonui Rūnanga were subsequently engaged in writing to prepare a CIA on 17 August 2020.

- (f) An email was received on 11 September 2020 indicating that the rūnanga no longer considered it appropriate to prepare a CIA due to the timing in the process and would follow the formal submission process to identify their values and concerns.
- (g) Following receipt of submissions, a hui was held with Riki Parata, as rūnanga representative, to work through issues raised, how they have been addressed through further technical reports and proposed conditions.
- (h) A key part of this hui related to potential effects on the associative cultural values of the Maitai River and more distant Hokonui Hills and how rūnanga can add a cultural narrative and have input into design details that reflect the history of Gore and local Maori. The ways this may occur were set out in the s92 response of 6 November 2020:

“This may include for example storyboard panels, detailed carvings on handrail posts, formwork designs on the concrete anchors as well as painted designs onto the bridge deck and laser cut shapes of significance on the bridge mast supports. This design work is being developed alongside the consenting process.”
- (i) At a wider Council level, an Iwi Engagement Strategy is being developed. Specific engagement principles for the remainder of this project have not yet been finalised but will include matters that fall outside the specific consent and its conditions such as support of the proposed community dig of the archaeological site, any necessary traffic calming measures on Huron St, design inputs and adding a cultural narrative.
- (j) Further email and phone conversations have been held prior to filing of this evidence addressing proposed conditions.

The existing environment

- 32 A comprehensive description of the existing environment is set out in Section 3 of the application documentation. The various technical assessments appended to the AEE documentation and S92 response also include more detailed descriptions of elements of the existing environment in respect of the subject matter relevant to a particular technical assessment. The Section 42A Reports acknowledge the description of the existing environment in the application documentation.

- 33 I do not repeat a complete description here, and rely on the information included in the application documentation. By way of summary, the proposed bridge is predominately set within the Mataura River landscape and floodplain which is dominated by rural land use (grazing) and human modifications (stopbanks). The wider environment is the urban township of Gore with residential land uses on the east and industrial land uses to the west. The Mataura River is of particular importance to Hokonui Rūnanga who hold deep connections with the River and surroundings, being identified as part of a Statutory Acknowledgement Area. The River is identified as an Outstanding Natural Feature, while the Hokonui Hills in the distance are identified as an Outstanding Natural Landscape.

Statutory framework

- 34 As noted above, the Council has applied for land use consents from GDC and ES for the construction, operation and maintenance of a new bridge over the Mataura River that will carry water pipelines and provide for cycling and walking access.

Consent requirements – GDC

- 35 Landuse consent is sought under the Operative District Plan. The ongoing daylight admission, mast height, and height and ground coverage of the bridge as a utility support structure, are considered to be a restricted discretionary activity, while the land use activities within the margins of the Mataura River, are considered to be discretionary. Overall, the proposal is considered a discretionary activity under the District Plan.
- 36 In Section 4 of the original application, because pedestrian and cycle use has been included as part of the bridge, the proposal was considered to have a broadened scope than purely focused around the water pipeline utility and the bridge acting as it's support structure. As such, the application considered a wider suite of rules for completeness.
- 37 However, on further consideration and discussion with **Mr Crocker**, I consider that the bridge will support the pipeline crossing the river. In order to be provided as a single span it will need vertical structure, as identified by **Mr Crocker**, by way of a cable stay or arch network design. Whether the support bridge allows for shared pedestrian and cycle use is simply a matter of width (proposed here to be 3m) and access on and off, rather than the overall structure height or style.
- 38 The water pipeline, is clearly an identified utility in Chapter 11 of the Gore District Plan definitions, and the definition includes the structures associated with water supply utilities [my emphasis]:

“Utilities means the systems, services, structures and networks associated with:

-
- *Water supply”*

- 39 I agree with the conclusion in Section 7 of the S42A Report of Nigel Bryce that the proposed bridge should be considered a support structure and falls to be considered under Rule 7.9.8 with the associated relationship to other rules whereby only the rules in Chapter 2 Matters of National Importance also apply.
- 40 I note here consideration under this rule, and subsequent exclusion of others previously identified, doesn't materially change the consideration or status of the proposal as it is still a discretionary activity.

Consent requirements - ES

- 41 In accordance with the operative and proposed regional plans, landuse consent is required from ES. The operation of machinery in the stream bed during the construction period is considered to be a restricted discretionary activity. The permanent bridge construction is also considered to be restricted discretionary activity. The erosion control structures, these being rocks placed for the crane platforms and then reused for the western embankment, is a discretionary activity. Overall, the proposal is considered a discretionary activity under the relevant regional plans.

Statutory considerations

- 42 As this proposal is for an activity with overall discretionary status, the decision makers are required to have consideration to Sections 104 and 104B of the RMA.
- 43 Section 104 requires that the consent authority must, subject to part 2, have regard to:
- (a) Any actual and potential effects on the environment; and
 - (b) Any relevant provisions of policy statements, regional and district plans; and
 - (c) Any other matter considered relevant.
- 44 Section 104B then provides for a consent authority to grant or decline an application following its consideration, and it may impose conditions under Section 108 if it decides to grant.

Consideration of alternatives

- 45 Section 6(1)(a) of Schedule 4 of the RMA requires a description of any possible alternative locations or methods for undertaking the activity, if it is likely that the activity will result in any significant adverse effect on the environment. The Section 42A Reports of Mr Bryce and Mr Moore conclude that there are potentially significant adverse effects on immediate residents, and that these effects warrant further consideration of alternative sites, routes or methods in respect of visual amenity. They do not consider that the assessment of alternatives contained within the AEE documentation is sufficiently adequate in respect of Section 6(1)(a) of Schedule 4, and instead have requested further assessment be provided in evidence.
- 46 For clarity, I note that my understanding of Section 6(1)(a) of Schedule 4 as a planner, is that particular regard is had to the adequacy of the process of considering alternatives, as opposed to the ultimate choice of a preferred alternative. This decision is for the Council, as the applicant, to make having carried out an adequate consideration of alternatives.
- 47 Alternatives have been considered in Section 5.1 of the AEE as well as in Appendix F of application documents. Following comments made by Mr Bryce in his Section 42A Report and Mr Moore's peer review, further discussion of the process that was undertaken in consideration of alternatives at various stages of the project development has been included in the evidence of others.
- 48 Reviewing these assessments, I consider there are three key elements of alternatives contemplated:
- (a) The bridge option compared to underground piping;
 - (b) The proposed bridge location compared to any other location; and
 - (c) The cable-stay design versus the arch network design (or other vertical bridge structure).
- 49 **Mr Bayliss** has provided a detailed summary of the alternative river crossing options for the pipeline (above or below river). He concludes that an above river pipeline with associated support structure (bridge) is the preferred option due to in large part to the risks and uncertainties associated with the under river option.
- 50 **Mr Standing** includes a thorough summary of the relevant documents that influenced the alternatives analysis in his evidence. He details the alternative locations and multi-criteria assessment (MCA) processes that

were followed during the Business Case process (Appendix F of the application) to arrive at a shortlist of options and then the preferred location. The considerations that went into the MCA assessments included:

- (a) Technical feasibility of a bridge structure;
- (b) Consentability;
- (c) Operational and maintenance requirements;
- (d) Costs of construction;
- (e) Customer/stakeholder desired use of bridge;
- (f) Impacts on the natural environment;
- (g) Impacts on visual amenity and urban design;
- (h) Wider effects such as contribution to transport network and use of bridge for water supply pipelines;
- (i) Strategic fit with Council strategies; and
- (j) Economics in terms of wider community liveability and attractiveness to tourists.

51 I consider that the alternatives assessments undertaken by the Council were robust and clear in the method followed and criteria included.

52 Because of the identified adverse effects on nearby residential properties, to aid the alternatives consideration more directly from a landscape and visual amenity point of view, **Mr Crocker** has explained alternative style single-span bridges that are feasible from an engineering perspective at this location that were then considered in the LVIA report attached to the application documentation.

53 **Mr Maynard** has considered the potential flooding and natural hazards implications for river span options which highlights why a bridge that has a lower vertical structure and therefore requires piles would result in increased effects on flooding and natural hazards for the wider Gore community.

54 **Mr Pentecost** has provided an assessment of alternative locations and bridge form from a visual amenity and landscape perspective. He concludes that:

- (a) No alternative location presents a clear advantage over the preferred site. He notes that while alternative locations may lessen effects on a specific audience they are likely to create more adverse effects for another specific audience; and
 - (b) After exploring alternative bridge forms, no advantage was identified with regards to visual impacts from identified viewpoints.
- 55 This proposal has been identified as necessary to meet the Council's statutory responsibility to the community of the provision of safe drinking water (refer to **Mr Bayliss'** evidence). This requires water pipelines to cross the Mataura River.
- 56 Whilst the primary adverse effect arising from the proposed bridge option is on visual amenity of the immediate nearby residents, **Mr Pentecost** identifies that, in terms of feasible alternative locations for a vertical single span structure bridge, "*[t]he further the structure is positioned from the built form of the residential and commercial areas, the less likely it is that the structure will be readily absorbed into the rural landscape*". I consider that this may result in greater adverse effects on the natural character of the Mataura River and its ONF status than in its current location.
- 57 I note that there is no feasible location that can avoid adverse effects altogether on either natural character and landscape, or visual amenity effects. However, the proposal affords mitigation of a wide range of effects through the:
- (a) design form – a more permeable vertical cable-stay mast structure compared to a more horizontal arch network structure;
 - (b) bridge structure – single-span that avoids in river effects but requires height, compared with piles in the river that adversely affect water quality, instream values and increase flood hazards; and
 - (c) location – closer to the existing urban area where the bridge is more appropriate, compared with further to the north where the environment is more rural and less able to absorb the bridge into the natural character of the Mataura River.
- 58 I consider this point later in my assessments of the relevant objectives and policies and Part 2 of the RMA.
- 59 Based on the expert evidence and the AEE documentation, I understand the process of considering alternatives to be sufficiently methodical, robust

and repeatable. Therefore, it is my opinion that, in the context of Section 6(1)(a) of Schedule 4, the consideration of alternatives has been adequate.

Brief overview of the effects and proposed mitigations, including consideration of submissions

- 60 I consider that the application documentation, including the assessment of effects in Section 5 and the range of technical assessments included as appendices and in response to the s92 requests (further supplemented and confirmed by expert evidence) provides a thorough and complete assessment of the actual and potential effects on the environment of the proposed bridge and associated construction works. These effects are both positive and adverse, temporary (construction-related) and permanent (operational). In the interest of brevity, I adopt those assessments, subject to any further expansion or clarification set out below.
- 61 The key positive effects of granting these consents are summarised in **Mr Bayliss'** and **Mr Standring's** evidence. The key adverse effects of granting these consents are well traversed in the application documents and technical reports and in the evidence of the other experts, **Mr Crocker**, **Mr Maynard**, **Mr Pentecost** and **Ms Bennett**, aside from cultural matters which I will touch on further.
- 62 In the following section of my evidence, because of the number and matters considered in the submissions received on the application, I have summarised the anticipated effects on the environment whilst also addressing the submitters concerns. In making my assessment I rely on and supplement, rather than repeat, the assessment included in Section 5 of the AEE, the technical assessments appended to the application documents and in the s92 response (as updated by evidence). I also refer to the conclusions and recommendations included in the Section 42A reports.
- 63 The following assessment is not intended to directly address all specific matters and effects that have been identified in these documents, but I confirm that I have considered these matters in developing the proposed conditions and reaching my conclusions.

Positive effects

- 64 **Mr Bayliss** and **Mr Standring** cover positive effects in detail. The most important points being:

- (a) The bridge will provide the support structure for a new water pipeline that will enable an upgraded water supply that meets the Council's drinking water quality obligations; and
- (b) The bridge and associated pathway provide a safe cycle and walking link across and along the Mataura River that implements wider Council and Government strategies to improve active travel and community well-being.

65 I note that 18 of the 44 submissions received were in support of the proposal. Generally, these submissions were supportive of the proposal along with the following themes, stating the bridge would:

- (a) Promote the use of the Mataura River, reserve area, and walking paths;
- (b) Enhance the general area;
- (c) Be a safer option for walking and cycling;
- (d) Have a pleasant design;
- (e) Be a tourist attraction;
- (f) Be a connection between East Gore and West Gore;
- (g) Address water infrastructure issues;
- (h) Be a good use of Government funding to reduce the cost to ratepayers;
- (i) Encourage physical activity in the community; and
- (j) Be a community asset.

66 These positive effects of the proposal are generally discussed in the application and the supporting material and further elaborated and support by the evidence referred to above.

67 I agree with the conclusions in the S42A Report of Mr Bryce that these positive effects are significant in that the proposal will enable enhanced cycling and walking access along and across the Mataura River, enable a connection between East and West Gore and provide a safe community water supply for the whole Gore community.

Traffic and transport

- 68 The evidence of **Mr Standring** describes the positive effects that will arise for transport in the District as a result of providing a shared bridge and pathway that connects across the Mataura River.
- 69 He also considers the concerns relating to traffic and transport that were raised in submissions, along with others. I have summarised the key concerns that arose out of submission here.

Safety risks

- 70 **Mr Crocker** has canvassed the safety of the bridge from an engineering perspective in terms of an appropriate structural design by qualified engineers which has been peer-reviewed, which includes wind and aerodynamic assessments of the structure.
- 71 **Mr Standring** further discusses the safe movement on and off the bridge and into the wider roading network (e.g. under the existing SH1 bridge). He notes that should there be a change in vehicles and associated traffic movements, around Huron St in particular, there are other traffic management responses that can be implemented to address this, such as more explicit parking areas to the north, or traffic calming measures and safe crossing points.
- 72 On consideration of their evidence I consider that there is no increased safety risk associated with this proposal.

Parking

- 73 As per my comments above, **Mr Standring** has considered parking in his evidence and concludes that it can be appropriately provided for as required.

Design not inclusive

- 74 **Mr Crocker** has considered these matters in this evidence, including discussions around the appropriate gradients of pathway and bridge access required whilst minimising the footprint of the embankment in the flood plain. The cycleway and bridge will be accessible to all. The bridge has been designed to be inclusive for all types of users; disabled, children, elderly, etc.

Proposal does not add to walking tracks

- 75 **Mr Standing** discusses in his evidence, the wider plans to extend the walking tracks on both sides of the bridge and link to the wider community. The east side will be extended via Woolwich St to Maitland St, while the west side will be connected to the CBD and schools.
- 76 On the basis of the above assessment and expert evidence, it is my conclusion that the impacts on traffic and transport are able to be appropriately managed by the design of the proposed bridge, and that it will in fact result in positive effects on transport within the District.

Landscape and visual amenity

- 77 The LVIA attached to the application documentation concludes that the landscape and visual effects of the proposal range from moderate – low to high depending on the viewpoint. The mast is considered to be the most influential component of the design, while the lower portions of the structure provide considerably less visual impact than the mast. The peer review by Mr Moore agrees, while that of Yvonne Pfluger generally agrees but affords a slightly lower degree of effect. Further discussion on this is contained in the evidence of **Mr Pentecost** including consideration of a more conventional arch-network bridge which is wider rather than higher and less permeable to horizontal views up the river, but overall results in the same degree of effect.
- 78 **Mr Moore**, in his peer review, addressed the local character, and he does not consider the proposal to be incompatible with the local character. **Mr Pentecost** agrees with this conclusion in his evidence. This proposal also provides an opportunity to incorporate cultural aspects into the design and communicate the local culture and history. The Council is continuing to receive advice from local iwi on this aspect.
- 79 In regard to landscape and amenity values, the Maitava River is an outstanding natural feature in the Gore District Plan. The broad conclusions from the evidence available indicates that most affected residents would be those in the immediate vicinity on the eastern side of the river, who would otherwise have an unobscured view of the wider rural landscape, including up the Maitava River through to the Hokonui Hills. Generally, the proposal, is considered to have a moderate landscape effect, with these effects being higher for those closest to the bridge, or lower for those further away.
- 80 Overall, I agree with the conclusions reached by **Mr Pentecost** that

- (a) the bridge would have many positive effects and functions – including connectivity, recreational opportunities, increased public engagement with the local landscape, and wayfinding; and
- (b) It is also not out of context within the highly modified local landscape due to the visual permeability of the structure, its simplicity, low profile of the deck and surrounding urban land use within the wider landscape.

81 However as identified by Mr Moore, Mr Pentecost and Ms Pfluger, I acknowledge that for those nearby residential properties on the eastern banks, the proposed bridge will have a noticeable effect on their current views and the perception of an open and expansive landscape. Due to the nature of the height of the structure there is no effective mitigation of these effects.

82 Further discussion around the increased engagement with tangata whenua and adding a cultural narrative to the proposal is described earlier in my evidence and I understand rūnanga representatives may speak to this matter at the hearing.

Lighting

83 Lighting a structure can give rise to visual effects as noted by Mr Moore.

84 An assessment of lighting effects has been undertaken by Steve Muir of Essential Lighting Consultancy (ELC) and included as an attachment of the s92 response. Mr Muir also developed bridge lighting and pathway lighting schemes. The proposed lighting has been designed to minimise light spill, with light being downwards facing and away from nearby properties, and keeping in character with other lighting present in the township area. Whilst designed and assessed in his report, as noted above, feature lighting is no longer being proposed, with only the safety LED lighting of the bridge and path continuing through the night, to ensure that bridge and pathway users can safely navigate the path. The assessment considered the effects of the functional lighting using AS/NZS4282:2019 Control of obtrusive effects of outdoor lighting. All lighting will comply with standards set out in Rule 4.6.1(1)(a) of the District Plan and AS/NZS4282.

85 This report concludes that there will be no light spill onto nearby residential properties. The lights will be located and oriented away from adjoining houses, aimed downwards with zero-degree tilt, discretely mounted out of direct line of sight, and mounted at optimum mounting height to achieve maximum spacing from minimum number of lights.

- 86 The lighting report was not available at the time the original LVIA report was prepared. **Mr Pentecost** has subsequently reviewed the lighting report and recommends that any lighting should be functional only, with required lighting designed to minimise the impact on surrounding residential properties.
- 87 It should be noted that the s92 response to Environment Southland was limited in response to references to lighting, as the lighting design plan was not yet completed at that time. This response stated that “any lights on the bridge and cycling track will be primarily for public safety and amenity”, there was not specific reference to feature lighting, and therefore that is not being pursued as part of this proposal.
- 88 Having considered the available expert opinions, I consider that the condition proposed later in my evidence will ensure that any lighting effectively mitigates the concerns raised.

Unightly design

- 89 A concern about the proposal being an “unightly design” was raised in a number of submissions.
- 90 **Mr Pentecost** notes that design is subjective, with designs being pleasant or unpleasant to different people.
- 91 Having reviewed the available evidence and technical reports and peer reviews, I consider that the proposed option fits the single span design criteria, is not considered to be inappropriate in respect of the modified rural and urban character of the Maitua River area, and provides aesthetic value to the town. The bridge must be single span to avoid the need for having any central pier(s) in the river bed, to reduce waterway obstruction, and to avoid increased flooding hazard.
- 92 **Mr Crocker** discusses that for a 90m clear span pedestrian structure, three bridge design forms were considered applicable; cable stayed, tied arch, and suspension bridge:
- (a) A cable-stayed bridge is the proposed design that is increasingly being used overseas as well as in New Zealand, as shown by the Leith Cable Stayed Bridge in Dunedin, also designed by Mr Crocker of DC Structures Studio;
 - (b) A tied-arch bridge was considered the most viable alternative design. This is a similarly efficient design but not deemed “iconic”, having been constructed throughout New Zealand. This design would have

a greater physical presence and would not provide any additional aesthetic value. **Mr Pentecost** also considers the overall visual impact would likely be similar but with more visual obstruction across the horizontal plane rather than vertical; and

- (c) A suspension bridge was not deemed appropriate because there is insufficient room to form an anchor on the Huron Street side. A suspension bridge requires an anchor at both ends of the span whereas the preferred cable-stayed bridge only requires an anchor in the flood plain (where more space is available).

Recreational and amenity

- 93 In terms of wider amenity, the proposal will result in enhanced amenity values, as a result of the increased recreational opportunities and the improved connections between East Gore and West Gore. The original LVIA and peer review also recognise the benefits that the proposal would provide to the community, as a 'landmark' structure.
- 94 Near the proposed location, there is already public access to the area generally for public recreation. In the short term, access to this location will be restricted during the few months of construction, but will then become more accessible to the public following the opening of the bridge.
- 95 Mr Moore's peer review concludes that that overall, the proposed bridge would have a positive effect on recreational amenity.
- 96 Noise is also a matter that can impact on amenity values in the vicinity.
- 97 A noise assessment of the cables has been undertaken by Peter Coysh, of Ingenium Aero Consultancy and discussed in the evidence of **Mr Crocker**. He concludes that there will be minimal noise generated from the cables as a result of wind, which will be well below the noise limits in the rural and residential zone. Section 5.7 of the AEE identifies that further mitigation is available by way of dampers on the cables should noise unexpectedly become an issue. I consider this can be addressed by way of a review condition.
- 98 In response to some additional aspects of noise concern raised by submitters, I note that there are already several sources of noise that are present in the area, such as people walking and riding along riverbanks and cars travelling along Huron St. I also note that there will be no water pumps on the bridge.

Cultural and archaeological

- 99 In regard to spiritual and cultural values, the Mataura River catchment is a significant waterbody in Southland. The River is a statutory acknowledgement area, and there are identified sites of cultural significance in the vicinity of the proposed bridge location.
- 100 I acknowledge that I am not tangata whenua so do not have an intimate understanding of the cultural association with the Mataura River and its surroundings and how local iwi are connected to it.
- 101 In the AEE I included an assessment of the potential effects on cultural values using the available information, previous discussions with Hokonui Runanga for Pyramid Bridge (approximately 26 km upstream) and direction from “Te Tangi a Tauira” the Ngai Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008 (IMP).
- 102 This information was considered in the application and design consideration processes with preference to minimise the effects on the Mataura River by having no instream supporting structures so as to avoid effects on the mauri of the waterbody or mahinga kai values associated with the River. Appropriate conditions have also been proposed to minimise any adverse effect on water quality and instream fauna during the construction period (**Appendix 4**).
- 103 As set above, further consultation with Hokonui Rūnanga commenced at the time of lodgement of the application to better inform an understanding of cultural effects from this proposal, and their feedback and CIA opportunities are summarised above and **Appendix 1** and **Appendix 2**.
- 104 As noted in the s92 response, a CIA is generally prepared by, or on behalf of, the iwi/hapū who hold manawhenua in the area of the proposed activity. It is important that the person preparing the CIA has a good understanding of the Māori cultural values and interests in the area affected by the proposal. Alongside this the writer of the CIA report must have a clear mandate from the tangata whenua they are preparing the assessment for.
- 105 As a result of Hokonui’s position on CIA preparation it was not possible, nor appropriate, to engage someone other than Hokonui Rūnanga to prepare a CIA for this project. Instead the Council has engaged with the rūnanga and addressed the areas of concern that were identified in their submission, along with establishing an ongoing working relationship to involve iwi further in detailed design elements and creating a cultural narrative.
- 106 Conditions are proposed in **Appendix 4** to ensure that:

- (a) the contractor will liaise with Hokonui Rūnanga prior to mobilising to site;
 - (b) a qualified archaeologist will be present on site during the excavation phase; and
 - (c) mitigation to minimise effects on taonga bird species is adopted.
- 107 The design has been completed and assessed on the basis that safety of whanau members and the public is provided for. This is addressed in the evidence of **Mr Standing** and **Mr Crocker**.
- 108 Following the hui with Riki Parata of Hokonui Rūnanga, I understood there to be enthusiastic support of the opportunity to be able to provide design input that will enable the inclusion of a cultural narrative and ability to convey the history of the area to the wider public.
- 109 Whilst no subsequent formal position has been received in writing from the rūnanga in respect of how this may address their concerns from a visual perspective, they have advised that they will speak to their submission on this matter at the hearing.
- 110 Because I am not a cultural expert I cannot reach a firm conclusion on this matter, but I do note that:
- (a) Effects on the mauri of the Maitai River in respect of water quality and mahinga kai values have been avoided or mitigated; and
 - (b) The proposal is generally consistent with the policies in the IMP as assessed in Section 7.2.5 of the AEE and in the s42A reports of Mr Bryce and Ms McRae.

Hydrological & geotechnical

- 111 The evidence of **Mr Maynard** supports the technical reports that were appended to the application documentation and peer reviewed by Geosolve. His overall conclusions are that:
- (a) The hydrological and geotechnical aspects of the bridge were designed in accordance with NZ best practice;
 - (b) The single span cable-stay minimises obstruction within the main channel and floodplain which ensure that any increased flooding is negligible; and

- (c) Design measures are proposed to ensure the bridge foundation design is robust and includes appropriately protected from scour and erosion.

112 These conclusions are supported by the Section 42A Reports of Nigel Bryce and Jade McRae and the associated technical advice from Mr Young.

Ecology

113 Potential effects on instream ecology have been appropriately mitigated through the design of the bridge to avoid permanent piles in the River, and mitigation proposed during the construction of the bridge as included in the draft conditions and discussed in the AEE (**Appendix 4**).

114 Following concerns raised by both Hokonui Rūnanga and in submissions, an Avifauna Assessment was prepared by Dr Della Bennett, a Senior Avifauna Ecologist at Wildlands Consultants Ltd and attached to the S92 response. **Ms Bennett** further supports this report in her evidence.

115 She concludes that, with appropriate mitigation, there will be minimal effect on birds in the area through construction, operation, maintenance or as a result of bird strike. The assessment identified mitigation measures to minimise the potential disturbance or displacement of bird species.

116 I have included the relevant conditions mentioned by **Ms Bennett** in the proposed draft conditions later in my evidence.

117 This conclusion is supported by the S42A Reports.

Water quality

118 I have nothing further to add to the assessment contained within the AEE and the conclusions reached by the authors of both Section 42A Reports.

119 I consider that appropriate mitigation has been proposed by way of bridge design, construction methodology and proposed conditions (**Appendix 4**) to ensure that there are no more than minor effects on water quality within the Mataura River.

Construction effects

120 Construction effects have largely been covered in the AEE and agreed with in the S42A Reports.

- 121 Conditions are proposed to require submission of a Construction Management Plan prior to works commencing that will include those matters discussed in the AEE.
- 122 The effects of these activities are anticipated to be insignificant or less than minor.

Relevant policy statements and plans

- 123 In considering an application for resource consent the consent authority must have regard to any relevant provisions of planning documents.
- 124 In Section 7.2 of the AEE I identified the provisions of the relevant planning documents that I consider to be the most relevant to this proposal and in the interest of brevity I adopt that proposal.
- 125 The Section 42A Reports of Mr Bryce and Ms McRae generally agree with this assessment and conclude that the proposal is broadly consistent with the relevant provisions, although I do note that a few additional provisions from some of the documents that have been assessed.
- 126 I have therefore chosen to focus on the following three matters that address the key outstanding effects identified by submitters and Mr Bryce:
- (a) Utilities and Natural Character Landscape;
 - (b) Visual Amenity; and
 - (c) Tangata Whenua.
- 127 Subsequently I focus the below assessment on provisions in the Southland Regional Policy Statement (RPS), Gore District Plan (GDP) and Iwi Management Plan (IMP).

Utilities and Natural Character Landscape

- 128 It has been concluded earlier in my evidence that the proposed bridge can be considered as a support structure for the water supply pipelines it will carry over the Maitara River.
- 129 The GDP sets out in Chapter 7.6, the principal reasons for adopting the Utilities provisions, including recognising that as “*utilities are essential for the functioning of communities, It is not always practical or feasible to avoid the adverse effects of utilities.*” It also identifies that “*Section 6 of the RMA lists matters of national importance that must be recognised and provided for in district plans. It is therefore appropriate to impose some*

limitations on the extent of adverse effects where these matters are potentially compromised.”

130 I consider that this demonstrates the Plan’s recognition that essential utilities are critical for the Gore community’s wellbeing and that adverse effects of utilities and associated support structures cannot always be avoided. However, the identification of the need for utilities to still avoid compromising the matters of national importance indicates to me that consideration of effects on these matters takes priority over other effects.

131 This is supported in the Objectives hierarchy within Chapter 7 whereby Objective 7.3(2) requires avoidance of adverse effects on Section 6 RMA matters including natural character, outstanding natural features and landscapes and the maintenance and enhancement of public access along rivers and Policy 7.3(4) commences with the phrase “*to protect*”. Objective 7.3(3) is then subservient to Objective 7.3(2) and has a lower threshold for consideration in that it states [my emphasis]:

“Subject to Objective (2), to avoid where practical, remedy or mitigate the adverse effects of the provisions of utilities.”

And Policy 7.3(5) states “*to encourage a design and location of utilities that minimises adverse effects, where this can be done without compromising operation or efficiency”.*

132 It has been acknowledged in the original assessments, and re-stated by **Mr Pentecost** and Mr Moore in their evidence, that there are likely to be adverse effects on visual amenity values from those immediate nearby residents. However, this is countered by the fact that the robust alternatives assessment has considered alternative locations and has identified the proposed location as the preferred option for the water pipelines (and associated publicly accessible bridge support structure) to cross the river in this location for several reasons as earlier described by others.

133 **Mr Pentecost** concludes that the proposed location, compared with the alternative options evaluated, would better avoid adverse effects on natural character and the ONF as it can be more readily absorbed at this location. Mr Moore concludes that adverse effects on natural character at the proposed location would be relatively low and would not compromise the values of the ONF. In addition, he concludes the proposal would provide a positive effect by enhancing public access and recreational experiences along the River.

- 134 I agree with the assessment Mr Bryce has undertaken on the provisions in Chapter 2 of the GDP. This is generally consistent with the assessment of the Chapter 7 provisions for the same reasons.
- 135 Overall, I consider this proposal is consistent with planning provisions relating to utilities and that effects on matters of national importance, in particular natural character, have been reasonably avoided.

Landscape and Visual Amenity

- 136 While I do not contend that the objectives and policies in Chapter 3 Land Use Activities of the GDP are irrelevant, I note that for utility support structures the Chapter 7 Utilities rules specifically exclude consideration of the rules in Chapter 3 Landuse Activities. Therefore, I consider that less weight should be placed on how these provisions inform consideration of the effects of the proposal than those in Chapters 2 and 7.
- 137 As set out in the AEE, and in consideration of the evidence of **Mr Bayliss**, **Mr Standing** and others, I consider that reasonable effort has been made to avoid adverse effects on amenity values and quality of the environment, through both the location of the bridge and through the design considerations. In addition, there are substantial positive effects on amenity values through the enhanced recreational opportunities the bridge and pathway will provide.
- 138 **Mr Pentecost** and Mr Moore conclude that generally speaking this proposal will integrate well into this peri-urban setting, however, the residential properties closest to the proposed bridge on the eastern side will not have their visual amenity values maintained or enhanced due to the prominence of the vertical bridge structure in their view of the floodplain and River. Because of this I conclude the proposal is not entirely consistent with Objectives 3.3(1) and 3.3(2).

Tangata Whenua

- 139 There is general consensus between the S42A authors and myself in that that the proposal is generally consistent the RPS, Regional Plans, GDP and IMP objectives and policies as they relate to tangata whenua values.
- 140 The proposed mitigation and further development of a partnership and ongoing consultation with local runanga ensures the proposal is generally consistent with the intent of these provisions, pending further feedback on the cultural connection with the area.

Conclusion

141 Overall, considering the relevant plans and their provisions, I consider that the proposal is broadly consistent with the relevant objectives and policies of the RPS, Regional Plans and GDP.

Part 2

142 The consideration of the proposal under Section 104 is “subject to Part 2” of the RMA. Section 7.1 of the AEE provides an assessment of the bridge proposal in respect of Part 2 of the RMA. In this assessment it is my conclusion that the Project achieves the purpose and principles of the RMA set out in Part 2. Having now reviewed the information presented in submissions, the Section 42A Report and other evidence to be filed by the Council, I continue to support my conclusion as detailed below.

143 While section 5 sets out the sustainable management purpose of the RMA, the principles in sections 6, 7 and 8 give further elaboration to section 5. In terms of the matters of national importance in section 6, decision makers must “recognise and provide for” these. This is stronger direction as compared to other matters in section 7 which decision makers must “have particular regard to”.

Section 5 – Purpose and principles

144 The proposal represents a significant local resource that will enable people and communities to provide for their social, economic and cultural well-being and for their health and safety by delivering:

- (a) A safe drinking water supply to the whole Gore community;
- (b) Enabling enhanced cycle and pedestrian access across and along the Mataura River; and
- (c) Enabling a safe connection between East Gore and West Gore.

145 It is acknowledged that the bridge structure will generate adverse visual amenity effects on immediate residential properties. However, I consider that based on the significant benefits to the Gore community and the clear assessment of alternatives that considered the proposed location and design in order to avoid and/or mitigate a wide range of adverse effects as far as possible (in particular on the Mataura River, its Statutory Acknowledgement and ONF status), that the proposal broadly achieves the purpose of the RMA.

Section 6 – Matters of national importance

146 I am of the opinion that the proposal recognises and provides for the matters of national importance in section 6 of the RMA and comment as follows:

- (a) The peer review of Mr Moore concludes that the proposal will have no more than minor effects on natural character values because of the modified nature of the area. **Mr Pentecost** agrees that the proposal can be readily absorbed into this environment (section 6(a)).
- (b) **Mr Bayliss** explains the proposed upgrades to the water supply network, which require that the water pipelines cross the Mataura River (an identified outstanding natural feature). The proposed above river option will avoid the need to drill within or beneath the riverbed for the pipelines. **Mr Crocker** identifies the design of the bridge must use a form of vertical structure to avoid piles within the Mataura River. The proposed bridge design and location (closer to the developed area of Gore) will minimise potential adverse effects on the ONF. Further proposed mitigation will avoid any adverse effects on water quality or ecology of the river and protect its angling and amenity values. Mr Moore concludes that the bridge does not represent inappropriate development in relation to the ONF values of the River (section 6(b)).
- (c) No areas of significant indigenous vegetation or habitats of indigenous fauna will be affected by this proposal (section 6(c)).
- (d) Public access over and along the Mataura River will be significantly enhanced through this bridge proposal, and the associated shared pathway that will link to it along the floodplain and stopbanks (section 6(d)).
- (e) The Mataura River has a statutory acknowledgement under the Ngai Tahu Claims Settlement Act, recognising the particular cultural, spiritual, historical and traditional association with the River. The relationship of tangata whenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taonga has been considered in the proposed design which avoids structures in the water itself and associated adverse effects from this. Whilst a detailed CIA has not been available, feedback from Hokonui Rūnanga has been taken on board as discussed above, with further mitigation and design details proposed to address effects on archaeological sites of importance, avian taonga species and safety of whanau members. Enabling a cultural narrative to be added to the bridge

design is being worked through with rūnanga members to increase connection and understanding of local Māori history and use of the Mataura River (section 6(e)).

- (f) A potential site of importance to local iwi is located just downstream of the eastern embankment. It has not yet been formally classified as an archaeological site by Heritage NZ. Further investigation is proposed to be undertaken by Hokonui Runanga in collaboration with Otago University and Heritage NZ. The protection of historic heritage has therefore been recognised and provided for through proposed conditions (**Appendix 4**) relating to accidental discovery protocols, ensuring a suitably qualified archaeologist is on site at all times when earthworks are occurring, and liaising with rūnanga prior to mobilisation to the site to ensure contractor yards are established in appropriate locations so as not to risk damaging any important sites (section 6(f)).
- (g) The project does not impact on any recognised customary rights (section 6(g)).
- (h) Natural hazard risks have been appropriately addressed by **Mr Maynard** and also discussed by **Mr Crocker**. The proposed design, being single span, and at this location where it can tie in to an existing stopbank, effectively mitigates any potential increased risk from flooding by not requiring two embankments and having no in river piles. It also provides the most secure design option to protect the critical water supply pipeline from flood hazards (section 6(h)).

Section 7 – Other matters

- 147 It is also my conclusion that the proposal has had particular regard and appropriately responded to the relevant matters in section 7 of the RMA. The key matter being the maintenance and enhancement of amenity values (section 7(c)).
- 148 The effects of the proposed bridge on the visual amenity values of the immediate residents have been considered by **Mr Pentecost** as well as through the peer reviews conducted by Mr Moore and Ms Pfluger. It is acknowledged that the effects on the visual amenity values of those residents will be anywhere from moderate-high to high, noting the slight difference in opinion of Ms Pfluger due to the nature of the cable stay mast being in a narrow vertical plane of the view rather than more broadly spread across the wider view as would be the case with an arch network bridge.

Section 8 – Treaty of Waitangi

- 149 The Council is endeavouring to ensure that they are taking into account the principles of the Treaty of Waitangi/Te Tiriti o Waitangi through:
- (a) Recognising and providing for tangata whenua's kaitiakitanga of natural resources in the area by developing an overarching engagement strategy between the Council and Hokonui Runanga to establish a lasting partnership;
 - (b) Further engagement has occurred since the application was first lodged in July, accepting that the Council didn't meet expectations for more thorough detailed consultation early on;
 - (c) Continued involvement in the development of design details to provide a cultural narrative to the project; and
 - (d) Joint development of mitigation measures to address tangata whenua concerns.

Comments on submissions

- 150 The application was publicly notified on 19 August 2020, with submissions received from 44 parties on the GDC consents and from 14 parties on the ES consents. The majority of the ES submissions were the same or similar to those received on the GDC consents.
- 151 I have provided a response to the majority of the submission points raised in my earlier assessment of the effects of the proposal. However, there are a number of additional matters raised that I have considered below.

Expense

- 152 Costs associated with the project, both construction and ongoing maintenance, have been considered in detail by **Mr Standring**.
- 153 In summary, associated costs demonstrate that this is a lower cost option for water infrastructure with benefits in terms of health and safety and water security, and by providing for the shared pathway element, reduces the overall construction and maintenance costs through support from NZTA while achieving additional strategic transport goals for the district.

Bridge unnecessary

- 154 **Mr Bayliss** describes the critical need for a bridge to carry water pipelines over the River. **Mr Standring** has clearly set out the need for the bridge in

his evidence through discussion of the relevant transport strategies. I have not repeated that information here other than to conclude that I consider the necessity of the bridge has been well thought out and considered by Council.

Aviation risk

155 The Civil Aviation Authority has confirmed in writing that they are not required to be consulted as part of this proposal, due to the height of the bridge and cranes required for construction not exceeding 60m above ground level (see the attached email in **Appendix 3**).

Excessive size and height

156 As noted by **Mr Crocker**, any single span bridge option would require an above structure height, and of more than 5m as was suggested as a maximum through submissions. He notes that a 5m height is not possible without instream supporting structures and that for cable-stayed bridges, a general “rule of thumb” is that the mast is equal in height to approximately half of the span. In this case the span is 90m, therefore at 40m the mast is considered smaller than average for its span. **Mr Crocker** notes that relevant modelling and review of the design has been undertaken to confirm that this is sound.

Sail area to the prevailing southerly wind

157 The wind design assessment discussed by **Mr Crocker** was subject to independent review by Beca Ltd, and found to be sound.

Waste from users

158 This is not a matter that can be controlled through conditions and is part of a wider Council responsibility for waste management.

Ongoing maintenance

159 Maintenance has been carefully considered in the future works/maintenance/inspections requirements as discussed by **Mr Crocker** and **Mr Standing**.

160 Overall, this structure is considered a low maintenance structure.

Design not finalised

161 I note that the design of the bridge has been generally finalised in terms of structural details, but are still open to amendments as necessary to address public concerns and include cultural narrative design elements.

Increase in crime

162 I am unclear from the submissions as to why crime would increase as a result of the proposed bridge. Access along the riverbank is already provided.

Comments on Council Section 42A reports

163 I note that I am primarily in agreement with majority of the Section 42A Reports of both Mr Bryce and Ms McRae.

164 Where Mr Bryce has identified areas that require further consideration these have been included earlier in my evidence and in the evidence of others. However, I do note a couple of minor clarifications below and discuss the reports comments around the Reserves Act.

165 Two minor clarifications of his report are necessary:

(a) Section 2 (page 4) of the S42A Report mentions a mast height of 32m. This is incorrect and the application documents correctly refer to this as a 39m mast. It appears as though this may have been a typographical error in the avifauna report of Ms Bennett that was provided with the S92 response and has been carried through by Mr Bryce; and

(b) Section 2 (page 5) makes reference to a future subdivision into Lots 1 and 2 of Sec 80 Blk XVI. I note here that since drafting of the AEE this subdivision has now been completed and the associated land purchase of Lot 2 completed in early July 2020

166 In Section 11.3.4 of his S42A Report, Mr Bryce provides a response to the concern raised by one of the submitters that the application does not address Rule 4.2.2 of the Gore District Plan, as no management plan has been prepared for such a structure and it is therefore inconsistent with the Reserves Act 1977. Mr Bryce concludes that as the management plan for the Richmond Street Recreation Area has not been approved by the

Minister as required by Rule 4.2.2¹, the activity falls to be considered under the underlying Rural Zone rules.

167 In this instance I slightly disagree with his interpretation of the submitters concerns. I read their concern as not so much that the plan hasn't been approved by the Minister, but that the current management plan does not provide for a bridge (and associated pathway) as proposed.

168 I have reviewed the "*Reserve Management Plan Volume 2: Policies relating to individual reserves*" that was adopted by the Council on 10 May 2016. In relation to the Richmond Street Recreation Reserve the specific policies in section 5.22.5 include:

"1. Permit the development of a walking and cycling trail along the stopbank of the Mataura River including connections to the adjoining streets."

The associated development recommendations are to:

"Develop a walking and cycling trail along the stop bank to connect with the Richmond Street Community Centre. Improve pedestrian access to the reserve and install signs identifying the reserve."

169 I consider that the proposed bridge is clearly consistent with the policies and recommendations of the Plan in that its main purpose is to provide a shared cycle and walking path over and along the Mataura River.

170 In respect of the point that Mr Bryce raises that the Plan hasn't been approved by the Minister I refer to Section 41(13) of the Reserves Act which does not require Ministerial approval where the management plans are for recreation reserves vested in a local authority:

"Where a recreation reserve is vested in a local authority or a local authority is appointed to control and manage a recreation reserve, the local authority shall not be required to submit its management plan to the Minister for approval, unless the terms of vesting or of appointment to control and manage the reserve so require:

provided that the local authority shall make its management plan available for inspection by or on behalf of the Minister whenever so required."

¹ Rule 4.2.2 - Use of reserve land - All land use activities in areas administered under the Reserves Act 1977 are permitted where they comply with a Management Plan that has been approved by the Minister under that Act

Proposed conditions

- 171 I have reviewed the proposed conditions in the ES Section 42A report and have made some additions and tweaks to these below so that they can be applied across both GDC and ES consents.
- 172 It is beneficial to have the same wording where appropriate for consistency and ease of implementation by the Council and its preferred contractor.
- 173 A full set of conditions are included as **Appendix 1**.

Dated this 2nd day of December 2020

A handwritten signature in blue ink, appearing to read 'Claire Rose Perkins', is written over a light blue horizontal line.

Claire Rose Perkins

Appendix 1 – Initial response from Hokonui Runanga



Hokonui Rūnanga
140 Charlton Road, GORE – 9774
PŌ Box 114, GORE – 9740
hokonui.office@ngaitahu.iwi.nz

C/-Landpro Limited
PO Box 302
Cromwell 9342

17 August 2020

Attention: Claire Perkins

Dear Claire,

Longford Bridge, Mataura River

Application

The proposal seeks to construct a bridge across the Mataura River including fencing, new causeway embankment, but excludes connecting pathways to other road/pathway infrastructure. The primary purpose of the bridge is to carry water pipelines from the East Gore water treatment plant. The secondary purpose is to provide a pedestrian and cycle link across the Mataura River separate to the primary traffic bridge, connecting East Gore and Central Gore and providing a central spine for connections to the remainder of the proposed network. The bridge will cross from the flood bank on the eastern side of the Matāura River, to a new causeway embankment on the western side. From here, the shared pedestrian and cycle path will cross the flood plain to connect with Gore's CBD, with the final location of the path still to be confirmed. The bridge will be 39 metres high, 90 metres long and 3 metres wide.

Most works will occur on the legal riverbed and margins as well as road reserve and recreational reserve land. The bridge spans the river near the intersection between Church and Huron streets, on the east bank, and Surrey Street on the west bank

Commentary

Hokonui Rūnanga represent the rangatira and are kaitiaki of all natural resources within the area to which the application relates. Representatives of Hokonui Rūnanga have received and read in full the application as provided, dated 7 July 2020 and the amended application dated 5 August 2020. The Mataura River is a statutory acknowledgement under the Ngai Tahu Claims Settlement Act. A Statutory Acknowledgement is an acknowledgement by the Crown of a statement of Ngāi Tahu's particular cultural, spiritual, historical, and traditional association with specified areas, in this case, the Mataura River.

As the Rūnanga whose takiwā (area) includes the site the application relates to, it is extremely disappointing that the applicant has not approached Hokonui prior to lodgment of the consent so that we could work with them as a project partner. Given the scale of the project and the significance of the Mataura River to Hokonui, doing so would have upheld the mana of Hokonui and taken into account the principles of the Treaty of Waitangi. Furthermore, the ability for Hokonui to meaningfully input in the design process has been significantly impacted by this omission.

We appreciate the corrections to the amended AEE referencing Hokonui. However, the application is also in Te Ao Marama Inc (TAMI) jurisdiction and as such, the application needs to refer to both parties. We request that the AEE is amended to refer to both TAMI and Hokonui as appropriate.

Hokonui appreciate that a suitably qualified archaeologist will be present on site during the excavation phase to ensure that any currently known, and potentially as yet uncovered cultural sites are identified. A condition to this effect is proposed along with an accidental discovery protocol.

However, we note that the application has not made an effects assessment on the potential impacts of the bridge and associated works on the known archeological site approximately 20 metres from the bridge and the assessment of Rule 58(a) of the Water Land Plan in Table 9 states that “there are no known culturally significant sites near the bridge.” This needs amending to identify the known site.

Hokonui requires investigation of this site to understand this site further in order to determine whether there will be any effects.

We would also like to request more information around the river management for this area especially around flooding, flood bank effects and bank erosion as this has not been addressed in the application and this has a potential impact on the archaeological site and the safety of those in the vicinity of the stop banks.

Hokonui note that section 7.1 of the application assesses the Part 2 of the RMA and states that “the proposed bridge will enable the community to provide for their social, economic, and cultural well-being”. Hokonui highlight that without a Cultural Impact Assessment, the impact of the bridge on cultural effects cannot be determined, let alone determined to be positive. Furthermore, section 7.1 also states that “the proposed activity is not inconsistent with the principles of the Treaty of Waitangi.” Hokonui would argue that that principle of partnership has not been abided by given our involvement has only been sought now that the resource consent is lodged.

As discussed, Hokonui requests that a Cultural Impact Assessment is prepared by Hokonui with the cost borne by the applicant. Hokonui would also appreciate the opportunity to input into the design of the bridge and surrounds in order to tell our narrative. We note that the application has been updated to this effect.

Recommendations

Hokonui Rūnanga requests that a Cultural Impact Assessment is prepared by Hokonui at the cost of the applicant.

We would also like the known archaeological site directly beside where the bridge is to be constructed excavated or studied to further identify its origin. We request that this kaupapa is led by Hokonui Rūnanga at the cost to the applicant.

We support a condition for an archaeologist to be present on both sides of the river during excavation.

That Hokonui are design partners with regards to the aesthetics of the bridge and that their narrative is told with the development of the area. This may include additional details on the bridge itself plus narrative boards, pou and the potential to input on the name of the bridge.

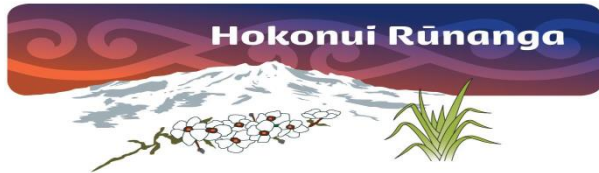
Further detail around the river management with regards to flooding and bank erosion effects is required so we can determine whether there will be any impact on the archeological site.

I have the authority to sign on behalf of the Rūnanga.

Nāku noa, nā



Genevieve Doube
Consultant Planner



Hokonui Rūnanga
140 Charlton Road, GORE – 9774
PŌ Box 114, GORE – 9740
hokonui.office@ngaitahu.iwi.nz

Gore District Council
29 Bowler Avenue,
Gore
9710

17 August 2020

Attention: Hashem Ramazan

Dear Hashem,

Longford Bridge Cultural Impact Assessment Offer of Service

As agreed, Hokonui Rūnanga will prepare a Cultural Impact Assessment to assess the cultural effects of the proposed Longford Bridge in Gore.

The Cultural Impact Assessment will discuss the importance of Mataura River to Hokonui Rūnanga, an assessment of the impacts of the bridge on our cultural values, a description of any monitoring proposed at the site including what attributes would be monitored, what frequency and the process that would be followed in the monitoring, any opportunities to mitigate the effects and recommendations.

Deliverable programme

We will endeavour to provide the CIA by Friday 7th September 2020. The applicant has proposed to provide the CIA to any submitters at the end of the notification period but prior to any hearing. This is proposed to allow time to address any concerns raised in the CIA and develop mitigation and/or consent conditions prior to the hearing. Please note that there may be aspects of the CIA that are not appropriate to be shared with anyone other than the applicant and the decision maker. For this reason, there may be a public and private CIA, one that can be distributed to any submitters and one that cannot.

Costs

Our costs for preparing the CIA is \$6,500 plus GST. Disbursements are not included in this amount and are not expected. Please provide any require purchase order number or reference as appropriate.

Nāku noa, nā

A handwritten signature in blue ink, appearing to read 'Genevieve Doube'.

Genevieve Doube
Consultant Planner

Appendix 2 – Minutes from hui with Hokonui Runanga

Claire Perkins

From: Claire Perkins
Sent: Thursday, 12 November 2020 3:37 PM
To: 'Riki Parata'; 'Genevieve Doube'
Cc: 'Paul Whyte'; 'Hashem Ramezan-zadeh'; 'Ramesh Sharma'
Subject: Summary of hui with GDC - Longford Bridge

Kia ora all,

I have put together a few brief comments from our hui last week and some actions going forward.

In attendance:

- Riki Parata – Hokonui Runanga representative
- Paul Whyte – Hokonui Runanga consultant support – BECA
- Hashem Ramezan-zadeh – GDC Project Manager Infrastructure
- Dan Crocker – GDC Bridge Designer/Engineer – DC Structures
- Claire Perkins – GDC Planning Consultant – Landpro

Summary:

- GDC team provided an apology for consultation/engagement with iwi not occurring earlier in the process.
- Riki was provided an opportunity to highlight areas of concern and the indicated a preference to develop an Iwi Engagement Plan. Claire noted that this is something that should be more broadly developed for any infrastructure (and other) projects undertaken by GDC going forward to ensure early and ongoing engagement. However, given the current stage of the process for the Longford Bridge application, perhaps a more specific agreement as to how to work together for the remainder of this project is developed (e.g. developing agreed set of conditions, support of Community Dig with Otago University of the identified heritage site, working with contractors prior to works starting, input into design of cultural narrative for the bridge, naming, interpretation panels, etc)
- Claire then went through the other points raised in the Hokonui runanga submission:
 - Avifauna – a technical report has now been prepared and circulated. This indicates no significant effect on avifauna species from the proposed bridge construction, maintenance or operation
 - Safety at Huron St – Dan discussed the safety audit that had been completed which indicated a preferred option for coming down off the bridge to ensure bridge user safety. This has been circulated with the s92 response
 - Visual impact of bridge – led to discussion around iwi input and involvement in final design details.
- Dan discussed the approach to the current bridge design. What parameters were e.g. no posts in flowing river, limitations at the Huron St end for space, flooding mitigation etc. Discussed environmental decisions in material choice – sustainable as possible but also low maintenance (e.g. don't want to be water blasting paintwork over the river)
- Dan took Riki through some ideas/options for where design input can occur e.g stencils onto bridge deck (maybe Hokonui Hills reference?), carving on posts for handrails, storyboard panels (possibly work with Jim Geddes on history of Gore), formwork designs on concrete anchors and laser cut shapes of significance/taonga species on bridge mast supports. Riki was going to head back to the team and walk through some design ideas with runanga members. GDC will support this engagement.

Actions:

- Riki to provide proposal/cost estimate for design work, and subsequent funding of this to be confirmed by Hashem/GDC
- Claire to send through s92 response (*completed*)

- Dan to provide renders for sketches etc (*completed*)
- Claire to draft a set of conditions and circulate to runanga for agreement.
- Claire & GDC to draft up engagement principles for remainder Longford Bridge project
- GDC to look to develop Iwi Engagement Plan for all future projects to ensure appropriate and early iwi engagement

I will endeavour to send through some draft conditions early next week so we can keep things moving with the hearing date now set down for 16/17 December. A formal notice will come through from Keith Hovell on this shortly. Our preference would be to have any agreement to conditions in writing if we can, along with working towards a change in submission opposition to neutral/support if the runanga are satisfied.

Please let me know if you think I have missed anything out.

Ngā mihi,
Claire

Claire Perkins

Senior Planner / Team Leader



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Cromwell 9342 New Zealand

New Plymouth | Cromwell | Gore

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Appendix 3 – CAA email

Claire Perkins

From: Brodie Costello
Sent: Wednesday, 2 September 2020 11:01 AM
To: Dan Crocker; Claire Perkins
Subject: FW: Proposed footbridge in Gore - CAA consultation

From: Iain Fraser <Iain.Fraser@caa.govt.nz>
Sent: Wednesday, 2 September 2020 10:59 AM
To: Brodie Costello <Brodie@landpro.co.nz>
Subject: RE: Proposed footbridge in Gore - CAA consultation

Hi Brodie,

Thanks for your enquiry regarding this structure. Following our telephone conversation, as the crane operation will be outside of the 4000m from Gore Aerodrome, which is the extent of the protection surfaces for this type of aerodrome, Rule Part 77, section 77.5(1) applies and for notification to CAA the crane would need to be more than 60m above ground level.

Kind regards,

Iain Fraser | Technical Specialist – Aeronautical Services
Civil Aviation Authority of New Zealand
Te Mana Rererangi Tūmatanui o Aotearoa
Aeronautical Services | Aviation Security & Infrastructure

☎ +64 (0) 4 460 4725 | Ext 4725 iain.fraser@caa.govt.nz

📠 +64 (0) 273580403

✉ Level 15, Asteron Centre, 55 Featherston Street, PO Box 3555, Wellington, 6011 New Zealand

♻️ Please consider the environment before printing this e-mail



From: Brodie Costello <Brodie@landpro.co.nz>
Sent: Wednesday, 2 September 2020 9:47 AM
To: Iain Fraser <Iain.Fraser@caa.govt.nz>
Cc: Claire Perkins <Claire@landpro.co.nz>
Subject: Proposed footbridge in Gore - CAA consultation

Hi Iain,

I spoke with Julie briefly this morning on this. We are seeking confirmation that the Civil Aviation Authority does not need to be further consulted for our proposal, a footbridge spanning the Mataura River in Gore.

Relevant details for CAA consideration are as follows:

- The bridge will have a 32m high steel mast.
- Two cranes will be used during construction, neither of which will exceed 60m when fully extended.
- The nearest area of interest is the Gore Aerodrome, located approximately 7.7 km southwest of the proposed bridge.

- The proposed structure will not be higher than 60m, is not within a low flying zone, or within a aerodrome/heliport obstacle protection area.

I've attached a copy of the Design Statement for further information.

If you have any further questions, feel free to call or email me.

Regards,

Brodie Costello

Planner



0800 023 318 | 027 279 3499

13 Pinot Noir Drive

Cromwell 9342 New Zealand

New Plymouth | Cromwell | Gore

landpro.co.nz

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Appendix 4 – Proposed Conditions

Location- site locality	Near the intersection between Church and Huron Streets, on the east bank and Surrey Street on the west bank
- map reference	NZTM2000 1287103E 4887653N
- catchment	Mataura River

Legal description of land at the site: Section 80 Blk XVI, HYDRO and Road Reserve

1. This consent authorises the erection of a new cable-stay bridge, with attached water pipelines, over the bed of the Mataura River, at the location specified above, as described in the application for resource consents dated 8 July 2020 and further information dated 23 July 2020 and 6 November 2020. The works authorised by this resource consent include:
 - a) Construction, and later removal, of a causeway in the true right riverbed;
 - b) Disturbance of the riverbed by vehicles;
 - c) Disturbance of the riverbed to drill holes for temporary piles;
 - d) Construction of a new bridge structure over the riverbed; and
 - e) Placement of rock riprap to protect the abutments of the new bridge.
2. The total dimensions of the bridge shall not exceed:
 - a) 39 metre high mast;
 - b) 916mm diameter mast;
 - c) 90 metres long;
 - d) 3 metres wide;
3. Any temporary bridge support piles shall be removed from the riverbed, so as not to create a navigation safety hazard, upon completion of the works.
4. Prior to preparation of the Construction Management Plan (Condition 19), the Consent Holder and appointed Contractor shall engage with Hokonui Rūnanga, to identify a suitable location for the yard and

crane platforms, so as not to interfere with any identified site of cultural significance.

5. The consent holder shall notify the public through local papers one week prior to the commencement of any works and erect onsite signage in order to ensure safe navigation under and past the bridge during construction.
6. The consent holder shall notify the Consent Authority in writing no less than three working days prior to the commencement of construction works.
7. Construction shall be completed within the timeframe of 10 months from site establishment.
8. Any lighting installed shall be downward facing, directed away from residential properties and limited to that required for safe use of and access to the bridge at night. All lighting shall comply with standards set out in Rule 4.6.1(1)(a) of the Gore District Plan and AS/NZS4282.
9. Paint treatment of the mast shall be off-white or light grey in colour and be a low reflective finish (matt or low sheen).
10. A planting plan identifying suitable species and location of those plants in order to integrate the western embankment into the surrounding environment shall be prepared in consultation with a suitably qualified landscape architect, flooding expert and Environment Southland and provided to the Consent Authority at least 10 days prior to construction commencing.
11. The consent holder shall ensure that:
 - a) contaminants, other than sediment, but including cement and oil are prevented from entering the waterway during the construction works;
 - b) all reasonable steps shall be taken to minimise the release of sediment to water;
 - c) no discharge of sediment shall be visible beyond the zone of reasonable mixing (200m);
 - d) fish passage is not impeded as a result of the construction works;
 - e) all construction equipment, machinery, plant, and debris are removed from the site on completion of the works;
 - f) silt disturbance and instream works are kept to a minimum;
 - g) no washing of equipment occurs in the stream/river;

- h) any stream banks disturbed or eroded during the construction works are to be restored and re-sown with pasture and/or native species upon completion of the works.
- 12. Prior to commencement of works, a suitably qualified ecologist shall be engaged to undertake a survey of the area of works to determine whether there are any nests of ground-nesting birds within the construction footprint and advise on next avoidance if required.
- 13. There shall be no disturbance of the roosting and nesting areas of the black fronted tern, black billed gull, and banded and black fronted dotterel, or the feeding areas of the banded and black fronted dotterel, as a result of the exercise of this consent.
- 14. In the event of any contamination of the watercourse the consent holder shall remove the contaminants immediately from the site and notify, without undue delay, the Consent Authority.
- 15. The consent holder shall take all reasonable precautions to minimise the spread of pest plants and aquatic weeds. In particular, the consent holder shall:
 - a) remove any vegetation caught on the machinery;
 - b) where necessary, clear vegetation from the site before gravel is extracted;
 - c) avoid working in areas where aquatic weeds such as Lagarosiphon major are known to be present (for information, contact Environment Southland); and
 - d) to avoid the spread of the didymosphenia geminata or any other pest plant, do not use machinery in the berm or bed of the River that has been used in any area where the pest plant(s) are known to be present in the previous 20 working days, unless it has been thoroughly cleansed.
- 16. If an event (such as contamination to water from a fuel or sediment discharge incident) occurs that may have significant adverse effect on water quality, particularly at the abstraction point of a registered drinking-water supply, the consent holder shall notify, as soon as reasonably practicable, the following:
 - a) Environment Southland (ph 03 211 5115 or 03 211 5225 after hours); and
 - b) Alliance Maitaha Plant (ph 03 203 6500).
- 17. A suitably qualified archaeologist shall be present onsite during the earthworks phase and supervise earthworks to ensure no existing or newly discovered site of cultural importance is disturbed.

18. In the event of a discovery, or suspected discovery, of a site of cultural importance (Waahi Taonga/Tapu) during the construction, the consent holder shall immediately cease operations in that location and inform the local iwi authority (Hokonui Rūnanga, phone 03 208 7954). Operations may recommence at a time as agreed upon in writing with the Consent Authority. The discovery of Koiwi (human skeletal remains) or Taonga or artefact material (e.g. pounamu/greenstone) would indicate a site of cultural importance. Appendix A to this consent outlines the process that is to be followed in the event of such a discovery.
19. The Consent Holder shall submit a Construction Management Plan to the Consent Authority (EScompliance@es.govt.nz and *GDC email TBC*) for approval at least 10 working days prior to commencement of works. This shall include, but is not limited to:
 - a) provide concise and clear direction to the Person in Charge and other staff on the construction plan;
 - b) identify environmental risks of the bridge construction specific to the construction site including, but not limited to, erosion and sediment control, dust mitigation, noise and vibration control;
 - c) identify how the above environmental risks are avoided;
 - d) describe any safeguards that have been implemented and how these will be maintained;
 - e) describe any protocols for flood warnings;
 - f) identify communication with neighbouring residents prior to works and provision of contact details of site foreman;
 - g) identify locations of site fencing, storage compounds, and public access restrictions;
 - h) describe any signage that will be implemented;
 - i) establish a complaints register; and
 - j) describe any protocols for incident management responses.
20. The Consent Authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the consent holder of its intention to review the conditions of this consent within three months of each anniversary of the commencement of this resource consent, or within two months of any enforcement action being taken by the Consent Authority in relation to the exercise of this consent, or on receiving monitoring results, for the purposes of:
 - a) determining whether the conditions of this permit are adequate to deal with any adverse effect on the environment,

including cumulative effects, which may arise from the exercise of the permit, and which it is appropriate to deal with at a later stage, or which become evident after the date of commencement of the permit;

- b) ensuring the conditions of this consent are consistent with any National Environmental Standards Regulations, relevant plans and/or Policy Statement;
- c) amending the monitoring programme to be undertaken; or
- d) adding or adjusting compliance limits.

Appendix A: Protocol in the event of a discovery, or suspected discovery, of a site of cultural importance (Waahi Taonga/Tapu)

1. *Kōiwi tangata accidental discovery*

If Kōiwi tangata (human skeletal remains) are discovered, then work shall stop immediately and the New Zealand Police, Heritage New Zealand (details below), Hokonui Runanga and Te Ao Marama Inc (Ngai Tahu (Murihiku) Resource Management Consultants) shall be advised. Contact details for Hokonui Runanga and Te Ao Marama Inc are as follows:

Hokonui Runanga
140 Charlton Road
PO Box 114, Gore 9740
Phone: (03) 208 7954

Hokonui.office@ngaitahu.iwi.nz

Te Ao Marama Inc
Murihiku Marae, 408 Tramway Road,
Invercargill
P O Box 7078, South Invercargill 9844
Phone: (03) 931 1242

Hokonui Runanga and Te Ao Marama Inc will arrange a site inspection by the appropriate Tangata Whenua and their advisers, including statutory agencies, who will determine how the situation will need to be managed in accordance with tikanga māori.

2. *Archaeological Sites*

Archaeological sites are protected under the Heritage New Zealand Pouhere Taonga Act (2014), and approval is required from Heritage New Zealand before archaeological sites can be modified, damaged or destroyed.

Not all archaeological sites are known or recorded precisely. Where an archaeological site is inadvertently disturbed or discovered, further disturbance must cease until approval to continue is obtained from Heritage New Zealand. As stated above, the New Zealand Police, Hokonui Runanga and Te Ao Marama Inc also need to be advised if the discovery includes kōiwi tangata/human remains.

Heritage New Zealand
C/- Dr M Schmidt, Regional Archaeologist Otago/Southland
PO Box 5467, Dunedin 9058
Phone: (03) 470 2364 Mobile 027 240 8715
mschmidt@heritage.org.nz

3. *Taonga or artefact accidental discovery*

If taonga or artefact material (e.g. pounamu/greenstone artefacts) other than kōiwi tangata is discovered, disturbance of the site shall cease immediately and Southland Museum, Hokonui Runanga and Te Ao Marama Inc shall be notified of the discovery by the finder or site archaeologist in accordance with the Protected Objects Act 1975. All taonga tuturu are important for their cultural, historical and technical value and are the property of the Crown until ownership is resolved.

4. *In-situ (natural state) pounamu/greenstone accidental discovery*

Pursuant to the Ngai Tahu (Pounamu Vesting) Act 1997, all natural state pounamu/greenstone in the Ngai Tahu tribal area is owned by Te Runanga o Ngai Tahu. Ngai Tahu Pounamu Management Plans provide for the following measures:

- any *in-situ* (natural state) pounamu/greenstone accidentally discovered should be reported to Te Runanga o Ngai Tahu staff as soon as is reasonably practicable. Te Runanga o Ngai Tahu staff will in turn contact the appropriate Kaitiaki Papatipu Runanga;
- in the event that the finder considers the pounamu is at immediate risk of loss such as erosion, animal damage to the site or theft, the pounamu/greenstone should be carefully covered over and/or relocated to the nearest safe ground.

The find should then be notified immediately to the Programme Leader – Ohanga, at Te Rūnanga o Ngāi Tahu. Their details are as follows:

Te Rūnanga o Ngāi Tahu
C/- Programme Leader - Ohanga
Te Whare o Te Wai Pounamu
15 Show Place, P O Box 13-046, Otautahi/Christchurch 8021
Phone: (03) 366 4344 Web: www.ngaitahu.iwi.nz